United Nations A/C.3/65/L.64

General Assembly

Distr.: Limited
9 November 2010

Original: English

Sixty-fifth session
Third Committee
Agenda items 68 (c) and 129

Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Programme budget for the biennium 2010-2011

Situation of human rights in Myanmar

Programme budget implications of draft resolution A/C.3/65/L.48

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of operative paragraph 30 of draft resolution A/C.3/65/L.48, the General Assembly would request the Secretary-General:

(a) To continue to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process with the Government and the people of Myanmar, involving all relevant stakeholders, including democracy and human rights groups, and to offer technical assistance to the Government in that regard;

(b) To give all necessary assistance to enable the Special Adviser and the Special Rapporteur to discharge their mandates fully and effectively;

(c) To report to the General Assembly at its sixty-sixth session, as well as to the Human Rights Council, on the progress made in the implementation of the resolution.

II. Relationship of the proposed requests to the biennial programme plan and priorities for the period 2010-2011

2. The foregoing requests relate to subprogramme 1, Prevention, control and resolution of conflicts, of programme 2, Political affairs, and subprogramme 3,

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Advisory services, technical cooperation and field activities, and subprogramme 4, Supporting the Human Rights Council, its subsidiary bodies and mechanisms, of programme 19, Human rights, of the Strategic Framework for the period 2010-2011 (A/63/6/Rev.1).

III. Activities by which the requests would be implemented

3. In his report to the General Assembly (A/65/367), the Secretary-General indicated that despite his best efforts, utilization of the good offices was not made to engage meaningfully on issues of mutual interest and concern during the reporting period. This lack of engagement limits the ability of the Secretary-General to fully implement the mandate entrusted to him by the General Assembly. It also disregards the support that Member States have invested in the good offices mandate. Member States, therefore, have an interest and responsibility to translate their support by actively helping to ensure that Myanmar extends the necessary cooperation.

4. Nevertheless, the Secretary-General continued his consultations with the authorities and key stakeholders, including democracy and human rights groups, as well as key Member States with regard to the objectives of the good offices mandate. Engagement continued with the United Nations country team and the broader United Nations System, including the Economic and Social Commission for Asia and the Pacific and international financial institutions. The efforts focused on five key areas, as endorsed by the Group of Friends of the Secretary-General and in the Security Council: (a) the release of all political prisoners, including Daw Aung San Suu Kyi; (b) the need for an all-inclusive, substantive and time-bound dialogue; (c) the need to create conditions conducive to a credible political transition process to a civilian and democratic government; (d) improving socio-economic conditions; and (e) regularizing the good offices process between Myanmar and the United Nations.

5. Following the elections held on 7 November 2010, the Secretary-General issued a statement on 8 November 2010 stressing that the Myanmar authorities have a responsibility to turn the conclusion of the election process into a new beginning for the country and its people, and that they must demonstrate that the ballot was part of a credible transition towards democratic government, national reconciliation, and respect for human rights.

6. The Secretary-General also urged the Myanmar authorities to release the remaining political prisoners and lift restrictions on Daw Aung Suu Kyi without further delay so that they can freely participate in the political life of their country. He also urged the Myanmar authorities to ensure that the process of forming new institutions of Government would be as broad-based and inclusive as possible, and called for renewed dialogue among all stakeholders in this regard as part of any process of national reconciliation.

7. Moving forward, the Secretary-General will remain committed to support the efforts of the Government and the people of Myanmar toward national reconciliation, the transition to democracy, and toward full respect for human rights as the necessary foundation for long-term stability and prosperity.

8. Consistent with the requests contained in operative paragraph 30 of draft resolution A/C.3/65/L.48, the efforts of the Secretary-General will continue in 2011

to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process with the Government and the people of Myanmar, involving all relevant stakeholders, including democracy and human rights groups, and to offer technical assistance in that regard. The efforts of his good offices would be carried out through his Special Adviser and his team. The progress made in the implementation of the resolution would be reported to the General Assembly at its sixty-sixth session.

IV. Estimated resource requirements

9. The estimated costs of continuing the efforts of the good offices of the Secretary-General to facilitate the process of national reconciliation and democratization through his Special Adviser for Myanmar, as requested in operative paragraph 30 (a), (b) and (c) of draft resolution A/C.3/65/L.48 for a one-year period, from 1 January to 31 December 2011, amount to $1,216,700 net ($1,370,900 gross).

10. These resources would cover the salaries for the Special Adviser and four staff (2 P-4, 1 P-3 and 1 General Service (Other level)); the official travel of the Special Adviser to Myanmar, neighbouring countries in the region, Europe and North America, including United Nations Headquarters; the services of consultants; and miscellaneous services in support of his mission. Other substantive and administrative support to the Special Adviser would be provided by the Department of Political Affairs of the United Nations Secretariat.

11. The above requirements have been included in the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council (A/65/328/Add.1 and Corr.1), and would be charged against the provision for special political missions included under section 3, Political affairs, of the programme budget for the biennium 2010-2011.

12. With regard to the request contained in the last part of operative paragraph 30 (a), concerning technical assistance, such assistance, if requested, would be accommodated within the technical cooperation activities of the Office of the United Nations High Commissioner for Human Rights. As to the request contained in operative paragraph 30 (b), pertaining to the Special Rapporteur, the Secretary-General, in his report on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its twelfth, thirteenth and fourteenth sessions (A/65/333 and Corr.1) informed the General Assembly that the activities called for in Council resolution 13/25 (A/65/53, chap. II, sect. A), are considered of a "perennial nature" and as such, provision of an estimated $70,200 per annum to implement the activities of the Special Rapporteur has been made, under section 23, Human rights, of the programme budget for the biennium 2010-2011.

13. No additional resources are requested under section 23, Human rights, at this juncture, beyond those reflected above.

V. Summary

14. **Should the General Assembly adopt draft resolution A/C.3/65/L.48, additional requirements amounting to $1,216,700 net ($1,370,900 gross) would be required for the period from 1 January to 31 December 2011 for the continuation of the efforts of the good offices of the Secretary-General relating to the situation in Myanmar.**

15. **These requirements would be charged against the provision for special political missions under section 3, Political affairs, of the programme budget for the biennium 2010-2011. Approval for these requirements are being sought in the context of the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council (A/65/328/Add.1 and Corr.1), currently before the Assembly for consideration at the main part of its sixty-fifth session.**